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REMARKS AND REQUEST FOR RECONSIDERATION

Claims 1 - 14 stand rejected under 35 U.S.C. §103(a) as being anticipated by Stasyshyn in view of Box. In view of the following remarks, the Examiner is respectfully requested to reconsider the outstanding rejection and allow the present application to issue.

The present invention provides an apparatus and method for tilting a pot with respect to a warming plate. This is accomplished by tilting one portion of the pot using a small wedge, while maintaining a minority of the pot in point contact with the warming plate. Claim 1 recites in relevant part: "a spacer between one portion of said beverage pot base and said warming surface to elevate a majority of said beverage pot base above and separate from said warming base while tilting said beverage pot base relative to said warming surface, a minority of said beverage pot base in direct contact with said warming base." Original claim 7 recites in relevant part: " a means to tilt said liquid retaining pot with respect to said heating base while maintaining said liquid retaining pot base in point contact with said heating base, said retained liquid pooled to a maximum depth adjacent said point contact." Original claim 12 recites in relevant part: "supporting a minority portion of said pot bottom upon said spacer and a second minority portion of said pot bottom upon said surface, a majority portion of said pot bottom spaced from but adjacent and elevated with respect to said warming surface."

In contrast to the present invention, neither Stasyshyn nor Box attempt to tilt the pot, nor to maintain point contact with the plate. Furthermore, there is no teaching of the spacer being wedge-shaped, nor of the spacer having a thickness less than an elevation of a pot retaining feature.

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The Examiner alleges that Box is capable of tilting the pot. However, there is no teaching of the same in Box, even at the sections referenced by the Examiner. Furthermore, both Stasyshyn and Box provide a fully circular surface, which entirely spaces the pot from any contact with the surface. In view of the recitations of each of the independent claims, requiring contact with the warming surface at one point and spacing therefrom at another, the Examiner is respectfully requested to reconsider the present rejection.

The further features recited by the applicant in the original claims provide additional novel benefit not found in either Stasyshyn or Box. For exemplary purposes, there is no teaching of the spacer being wedge-shaped, nor of the spacer having a thickness less than an elevation of a pot retaining feature. The former feature helps to ensure compatibility with a large number of existing pots being used every day, while the latter feature helps to ensure safety of usage. The preferred wedge shape achieves these benefits, while also ensuring better stability of the pot, even when supported by a proportionally small wedge, and additionally ensures reasonable force distribution along the wedge surface. These and other features and benefits are recited in the claims and described in the present specification. Since none of the references illustrate or offer any motivation for combining any of the cited patents to produce the presently claimed invention, nor features which would be conducive to such combination, and in view of the present remarks, the Examiner is respectfully requested to reconsider the rejection of record and allow the present application to issue. No new matter is introduced. However, should there remain any open issues in this application which might be resolved by telephone, the Examiner is respectfully requested to call the

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undersigned at 320-363-7296 to further discuss the advancement of this application.

Sincerely,



Albert W. Watkins

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